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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,680	11/30/1999	MITSUJI MARUMO	35.G2504	8003
5514	7590	05/31/2002		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER	RAO, SHRINIVAS H
			ART UNIT	PAPER NUMBER
			2814	

DATE MAILED: 05/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/450,680	MARUMO, MITSUJI
	Examiner Steven H. Rao	Art Unit 2814
-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --		
<p>Period for Reply</p> <p>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</p> <ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 		
<p>Status</p> <p>1)<input type="checkbox"/> Responsive to communication(s) filed on <u>22 March 2002</u>.</p> <p>2a)<input checked="" type="checkbox"/> This action is FINAL. 2b)<input type="checkbox"/> This action is non-final.</p> <p>3)<input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213.</p>		
<p>Disposition of Claims</p> <p>4)<input checked="" type="checkbox"/> Claim(s) <u>1-3 and 5-20</u> is/are pending in the application.</p> <p>4a) Of the above claim(s) <u>19 and 20</u> is/are withdrawn from consideration.</p> <p>5)<input type="checkbox"/> Claim(s) _____ is/are allowed.</p> <p>6)<input checked="" type="checkbox"/> Claim(s) <u>1-3 and 5-18</u> is/are rejected.</p> <p>7)<input type="checkbox"/> Claim(s) _____ is/are objected to.</p> <p>8)<input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.</p>		
<p>Application Papers</p> <p>9)<input type="checkbox"/> The specification is objected to by the Examiner.</p> <p>10)<input type="checkbox"/> The drawing(s) filed on _____ is/are: a)<input type="checkbox"/> accepted or b)<input type="checkbox"/> objected to by the Examiner.</p> <p>Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).</p> <p>11)<input type="checkbox"/> The proposed drawing correction filed on _____ is: a)<input type="checkbox"/> approved b)<input type="checkbox"/> disapproved by the Examiner.</p> <p>If approved, corrected drawings are required in reply to this Office action.</p> <p>12)<input type="checkbox"/> The oath or declaration is objected to by the Examiner.</p>		
<p>Priority under 35 U.S.C. §§ 119 and 120</p> <p>13)<input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</p> <p>a)<input type="checkbox"/> All b)<input type="checkbox"/> Some * c)<input type="checkbox"/> None of:</p> <p>1.<input type="checkbox"/> Certified copies of the priority documents have been received.</p> <p>2.<input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____ .</p> <p>3.<input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</p> <p>* See the attached detailed Office action for a list of the certified copies not received.</p> <p>14)<input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).</p> <p>a)<input type="checkbox"/> The translation of the foreign language provisional application has been received.</p> <p>15)<input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.</p>		
<p>Attachment(s)</p> <p>1)<input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .</p> <p>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) _____ .</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6)<input type="checkbox"/> Other: _____ .</p>		

Response to Amendment

Applicants' amendment filed March 22, 2002 has been entered on March 29, 2002.

Therefore claims 1 and 9 as amended by the amendment and claims 2-3, 5-8 and 10-18 as originally filed are currently pending in the application.

Election/Restrictions

It is noted for the record that during the telephone call to applicants' (Steven Warren) an election was made without traverse as indicated in the o/A page 2 last paragraph .

However, in view of Applicants' response of March 22, 2002 containing a traversal of the election requirement the following is submitted.

Applicant's election with traverse of the election requirement in Paper No. 5 is acknowledged. The traversal is on the ground(s) that the inventions are closely related. However as previously pointed out the method claims are limited to mini- environment pod apparatus only and can also be performed by in a tube furnace apparatus.. This is not found persuasive because the claims as presently recited do not limit the process to be performed in the mini- environment pod apparatus only.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1- 3, 5-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPR (Applicants' admitted prior art) and Akagawa (U.S. Patent No. 4,856,904, herein after Akagawa) both previously applied , and further in view of Iizuka et al. (U.S. Patent No. 4,757,355, herein after Iizuka). previously cited but applied in the instant office action.

With respect to amended claims 1 and 9, AAPR and Akagawa teach most of the elements as previously stated . The newly added limitation, " inhibiting leakage of electromagnetic waves outside the apparatus through said pod when said pod is installed on the surface of the apparatus".

It is noted that the limitation, "inhibiting leakage of electromagnetic waves outside the apparatus through said pod when said pod is installed on the surface of the apparatus". Akagawa in fig.2 and col. 6 lines 62- 68 describes a pair of shields on either side of the units(pods) that prevent the electromagnetic influence (inhibiting leakage of electromagnetic waves outside the apparatus through said pod) when the pod is installed on the surface of the apparatus (Akagawa fig. 2 units 14, 4). .

The other new limitation is , " said pod is in conductive relationship with the surface of the apparatus , when the apparatus is installed on the surface of the apparatus".

AAPR and Akagawa do not specifically describe the pod is in conductive relationship with the surface of the apparatus , when the apparatus is installed on the surface of the apparatus".

However, Iizuka, a patent from the same field of endeavor, describes in figure 2-3, col. 5 lines 25-60 describes the unit (pod) attached to the surface of the chamber (numeral 1) and electrically connected to the walls to facilitate the up and down movement of the unit/pod along the chamber walls thereby allowing easy loading/unloading of masks without disturbing the ambience of an exposure apparatus disposed in the chamber.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include Iizuka's pod is in conductive relationship with the surface of the apparatus , when the apparatus is installed on the surface of the apparatus. to facilitate the up and down movement of the unit/pod along the chamber walls thereby allowing easy loading/unloading of masks without disturbing the ambience of an exposure apparatus disposed in the chamber. (Iizuka col. 2 lines 55-60).

Dependent claims 2-3, 5-8 and 10-18 were alleged to be allowable for depending upon allegedly allowable independent claims 1 and 9.

However, as seen above independent claims 1 and 9 are not allowable. Therefore dependent claims 2-3, 5-8 and 10-18 are also not allowable.

Response to Arguments

Applicant's arguments filed 3/22/02 have been fully considered but they are not persuasive. For reasons set forth above.

Applicant's arguments with respect to claims 1-3, 5-18 has been considered but is also moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven H. Rao whose telephone number is (703) 3065945. The examiner can normally be reached on 8.00 to 5.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chaudhuri Olik can be reached on (703)3062794. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 7463926 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 3067722.

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Art Unit: 2814

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Steven H. Rao

Patent Examiner

May 30, 2002.



OLIK CHAUDHURI
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